



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Rozwin Liera, Project Manager

Public Notice Date: April 20, 2005
Expiration Date: May 20, 2005
Reference: 200400623
Name: Jensen, Anchor Dewitt

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, for certain work described below and shown on the enclosed drawings.

APPLICANT: Mr. Anchor Dewitt Jensen
2021 Federal Avenue East
Seattle, Washington 98102
Telephone: (206) 382-5280

AGENT: Mr. Gale D. Brink
4503 Bryce Drive
Anacortes, Washington 98221
Telephone: (360) 299-3903

LOCATION: In Shoal Bay, at Lopez Island, San Juan County, Washington

WORK: Place 2 sets of ramp/walkway floats/finger floats/T float and drive piling.

Pier 1 will be composed of a concrete 10' x 21' pier, grated 4' x 60' ramp, 8' x 259' main float, fourteen 4' x 40' finger floats, and an 8' x 88' T float. Pier 1 is 5,466 square feet, and 1 replaces a 960 square foot float.

Pier 2 will be composed of a concrete 10' x 21' pier, grated 4' x 64' ramp, 16' x 25' landing float, 8' x 273' main float, twelve 4' x 50' finger floats, 5' x 46' finger float, 5' x 35' finger float, and an 8' x 108' T float. Pier 2 is 7319 square feet, and replaces a 770 square foot float.

All floats will be pre-cast concrete. Fifty five 16-inch steel piles will be driven. Three creosote-treated piles will be removed.

PURPOSE: Marina expansion.

ENDANGERED SPECIES: The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The marbled murrelet (*Brachyramphus marmoratus*) threatened, bald eagle (*Haliaeetus leucocephalus*) threatened, Coastal/Puget Sound bull trout (*Salvelinus confluentus*) threatened, Puget Sound Chinook salmon (*Oncorhynchus tshawytscha*) threatened and chinook critical habitat proposed for listing, Puget Sound / Strait of Georgia coho salmon (*Oncorhynchus kisutch*), candidate for listing, Steller sea lion (*Eumetopias jubatus*) threatened, humpback whale (*Megaptera*

novaeangliae) endangered, killer whale (*Orcinus orca*), proposed for listing, and leatherback sea turtle (*Dermochelys coriacea*) endangered in the State of Washington, *may occur* in the proposed project area. For the marbled murrelet, critical habitat has been designated. After receipt of comments from this public notice, the U.S. Army Corps of Engineers (Corps) will evaluate the potential impacts to the bald eagle, marbled murrelet and its critical habitat, coastal/Puget Sound bull trout, Puget Sound Chinook salmon, Steller sea lion, humpback whale and leatherback sea turtle.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). EFH for Pacific salmon, Groundfish, Coastal Pelagic Species occurs in the project area. The proposed action would impact approximately 0.25 acres of EFH for these species.

If the Corps determines that the proposed action may adversely affect EFH for federally-managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. Known historic properties occur in the vicinity of the proposed project. However, they do not occur in the permit area. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the

200400623

National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program.

This proposal is the subject of Shorelines Substantial Development Permit No. 04SJ009 which has been issued by San Juan County.

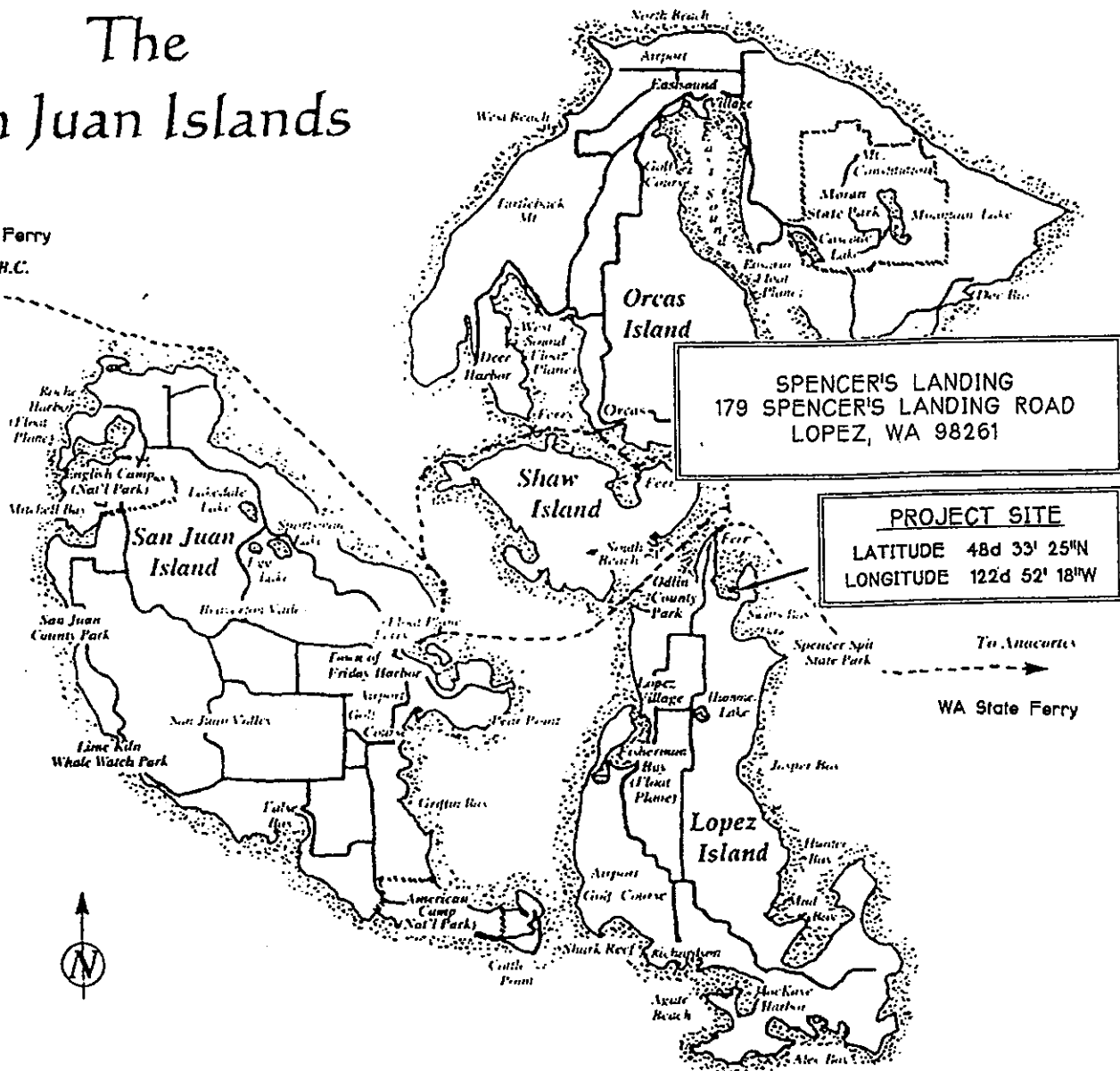
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to Rozwin.K.Liera@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Jensen, Anchor Dewitt, 200400623

Encl
Drawings (11)

The San Juan Islands

WA State Ferry
To Sidney, B.C.



REVISED FEBRUARY 23, 2005

APPLICANT:
ANCHOR DEWITT JENSEN
2021 FEDERAL AVENUE EAST
SEATTLE, WA 98102

ADJACENT PROPERTY OWNERS:

- (1) SHOAL BAY SHELLFISH CO.
- (2) HAYDEN ROBINSON
- (3) ANDREW + CYNTHIA MARIN
- (4) NAN-YU TOPSOE
- (5) HUMPHREY HEAD HOMEOWNER'S ASSOC.
- (6) E.W. SCHWENDEMAN

DATUM: N.O.S. MLLW = 0.0

PROJECT VICINITY MAP

REFERENCE:

2004-00623

SCALE AS NOTED

SPENCER'S LANDING MARINA
179 SPENCER'S LANDING ROAD
LOPEZ, WA 98261
Tax Parcel #250-141-001

PROPOSED: NEW MOORAGE FLOATS
GANGWAYS AND FIXED PIERS IN
AN EXISTING MARINA

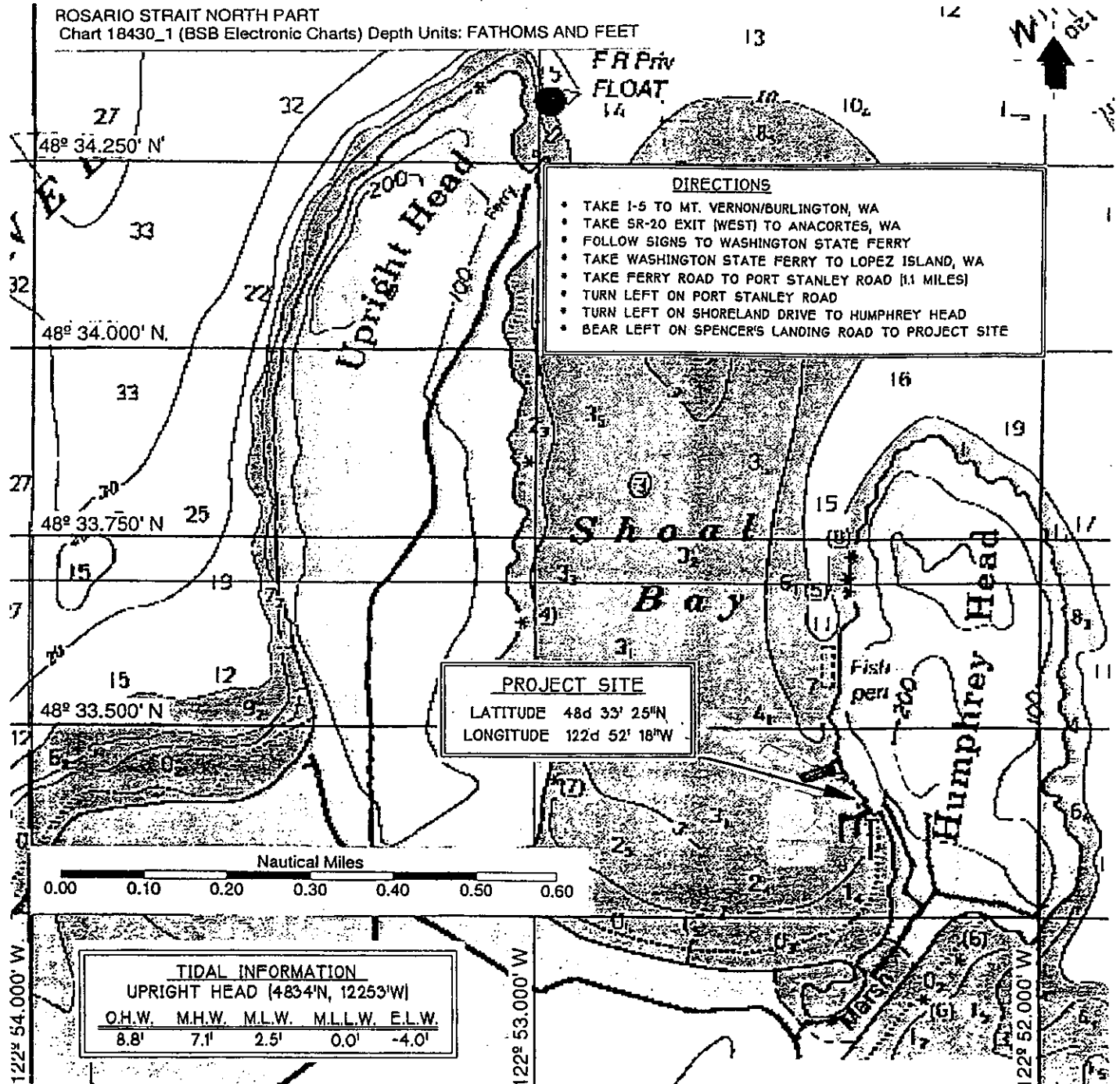
- PHASE 1 = 40' SLIPS @ PIER 1
PHASE 2 = 50' SLIPS @ PIER 2

PURPOSE: PROVIDE PERMANENT
MOORAGE FOR RESIDENTS OF
LOPEZ ISLAND

IN: SHOAL BAY
AT: LOPEZ ISLAND
SAN JUAN COUNTY, WA
SEC. 1, T35N, R2W, W.M.

SHEET 1 of 11 DATE: 5/15/04

ROSARIO STRAIT NORTH PART
Chart 18430_1 (BSB Electronic Charts) Depth Units: FATHOMS AND FEET



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DATUM: N.O.S. MLLW = 0.0

PROJECT LOCATION MAP

REFERENCE:
2004-00623

SCALE AS NOTED

SPENCER'S LANDING MARINA
156 SPENCER'S LANDING ROAD
LOPEZ, WA 98261
Tax Parcel #250-141-001

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SAN JUAN COUNTY, WA
SEC. 1, T35N, R2W, W.M.

SHEET 2 of 11 DATE: 5/15/04

(1) SHOAL BAY SHELLFISH CO.

Nautical Miles

0.00

0.10

(2) ROBINSON

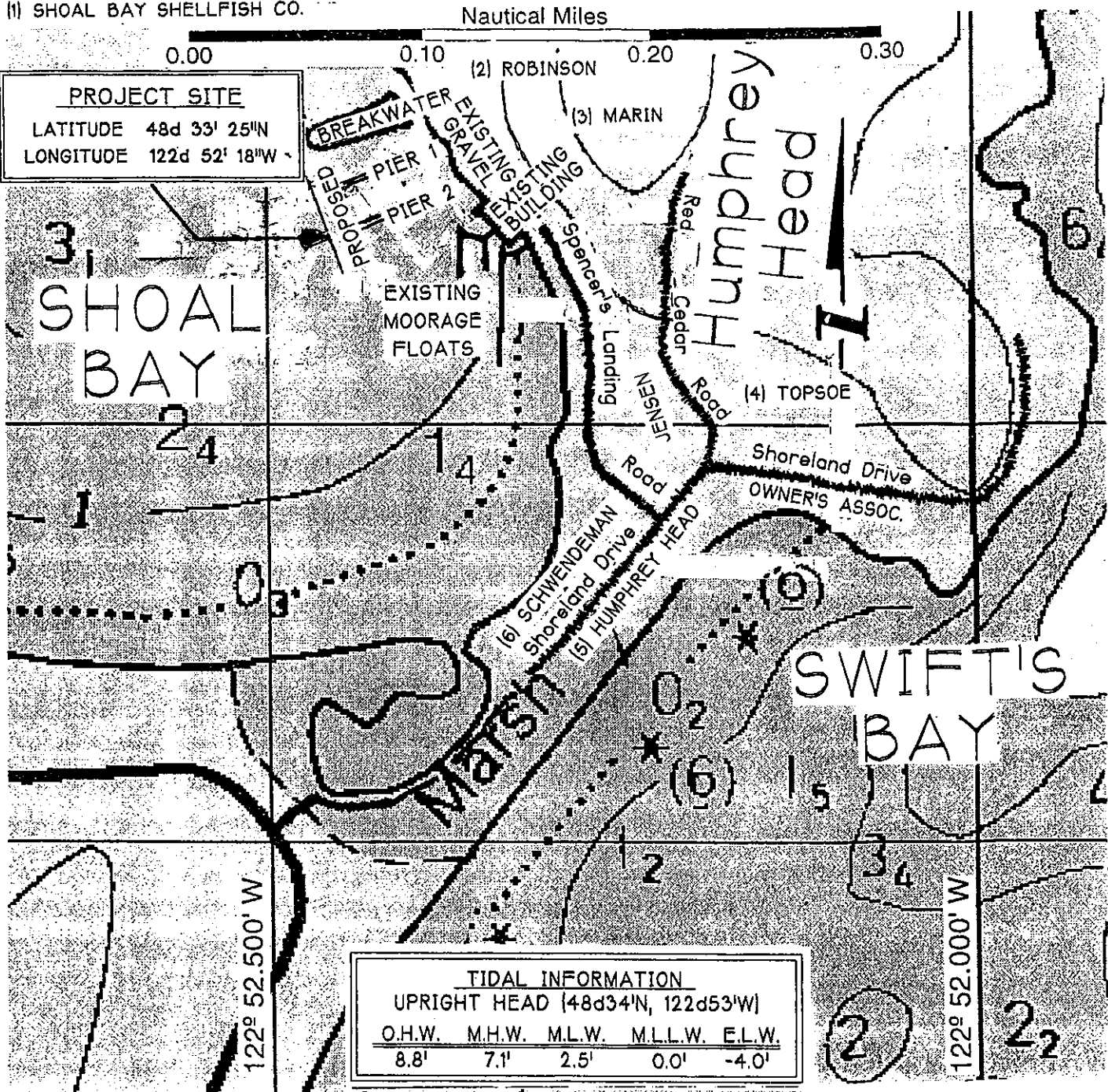
0.20

0.30

PROJECT SITE

LATITUDE 48d 33' 25"N

LONGITUDE 122d 52' 18"W



TIDAL INFORMATION

UPRIGHT HEAD (48d34'N, 122d53'W)

O.H.W.	M.H.W.	M.L.W.	M.L.L.W.	E.L.W.
8.8'	7.1'	2.5'	0.0'	-4.0'

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**PROJECT
SITE MAP**

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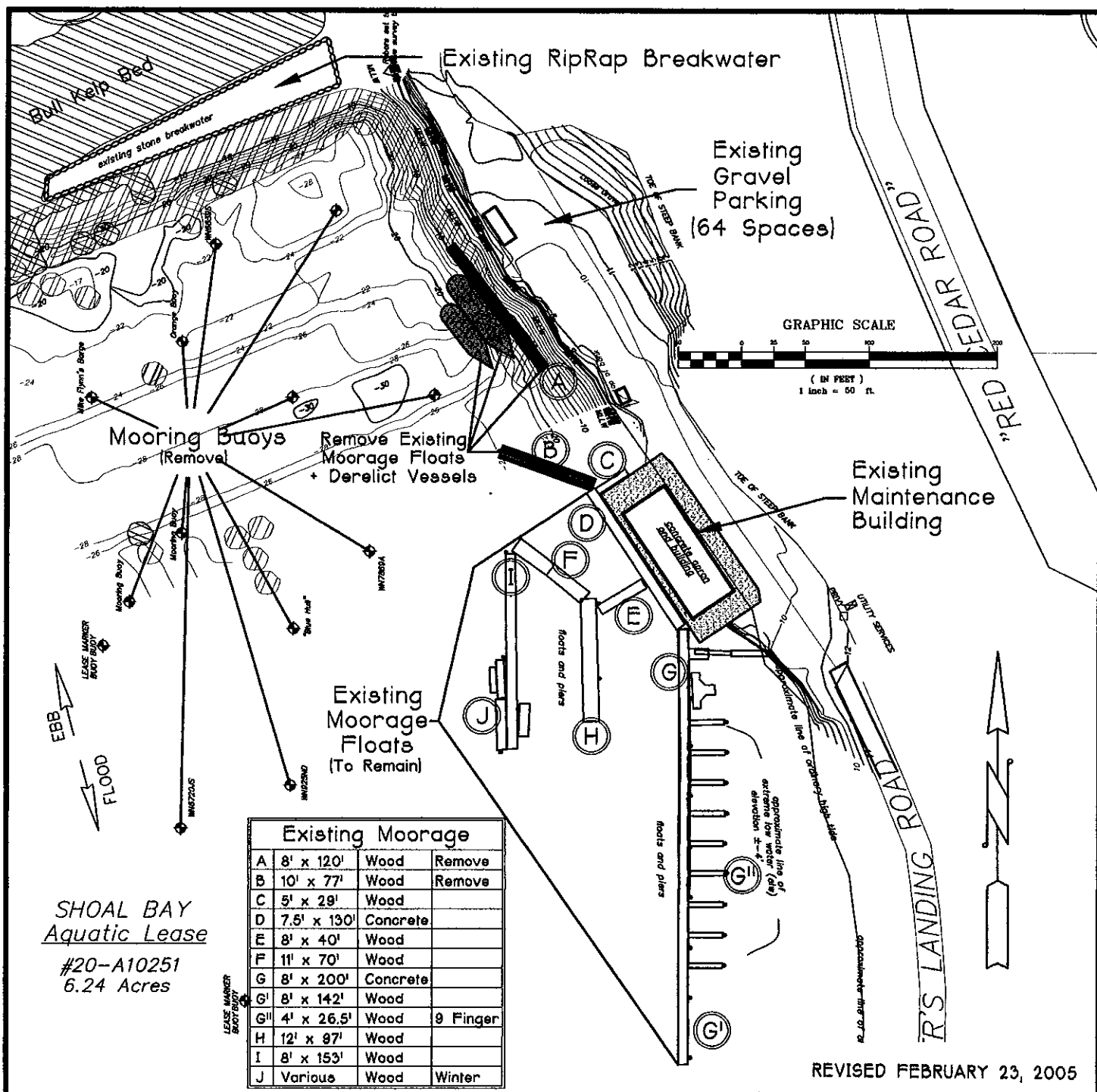
PURPOSE: PROVIDE PERMANENT
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LOPEZ ISLAND

IN: SHOAL BAY

AT: LOPEZ ISLAND

SAN JUAN COUNTY, WA
SEC. 1, T35N, R2W, W.M.

SHEET 3 of 11 DATE: 5/15/04



APPLICANT:
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2021 FEDERAL AVENUE EAST
SEATTLE, WA 98102

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DATUM: N.O.S. MLLW = 0.0

EXISTING SITE PLAN

REFERENCE:

2004-00623

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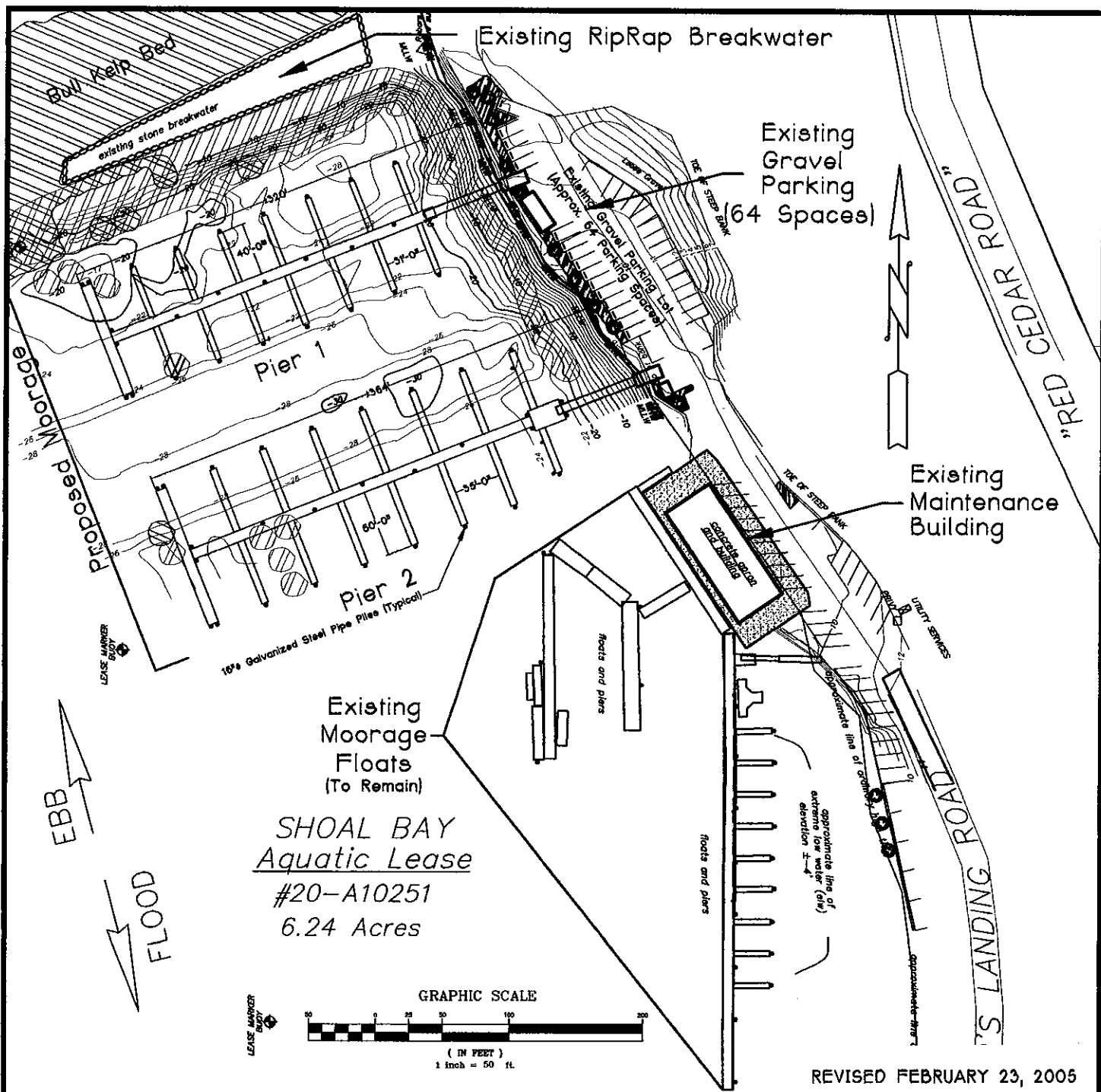
IN: SHOAL BAY

AT: LOPEZ ISLAND

SAN JUAN COUNTY, WA

SEC. 1, T35N, R2W, W.M.

SHEET 4 of 11 DATE: 5/15/04



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DATUM: N.O.S. MLLW = 0.0

PROPOSED MARINA EXPANSION SITE PLAN

REFERENCE:

2004-00623

SCALE AS NOTED

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Tax Parcel #250-141-001

PROPOSED: NEW MOORAGE FLOATS
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PHASE 2 = 50' SLIPS @ PIER 2

PURPOSE: PROVIDE PERMANENT
MOORAGE FOR RESIDENTS OF
LOPEZ ISLAND

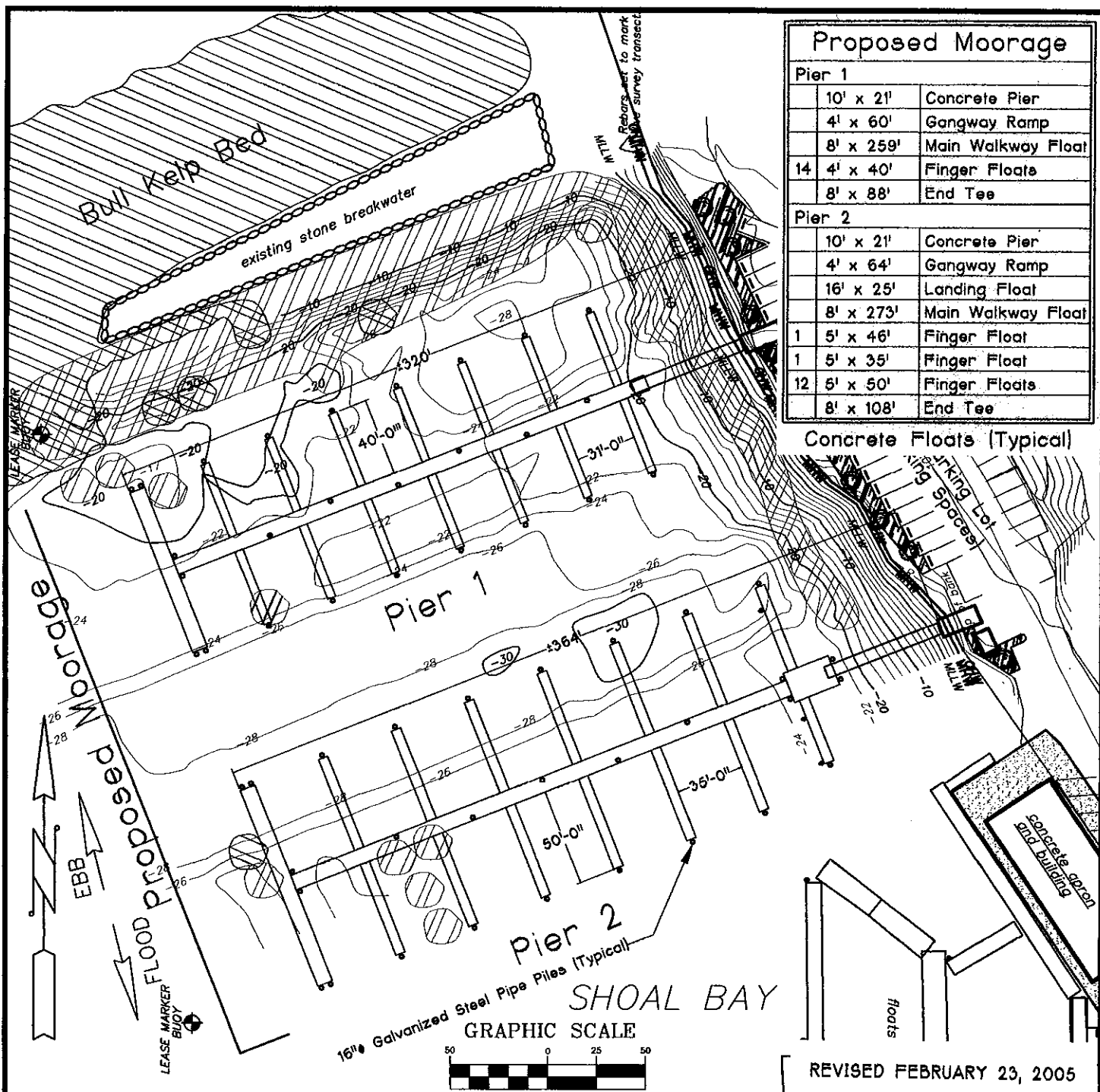
IN: SHOAL BAY

AT: LOPEZ ISLAND

SAN JUAN COUNTY, WA

SEC. 1, T35N, R2W, W.M.

SHEET 5 of 11 DATE: 5/15/04



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PROPOSED MOORAGE PIERS SITE PLAN

REFERENCE:

2004-00623

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Tax Parcel #250-141-001

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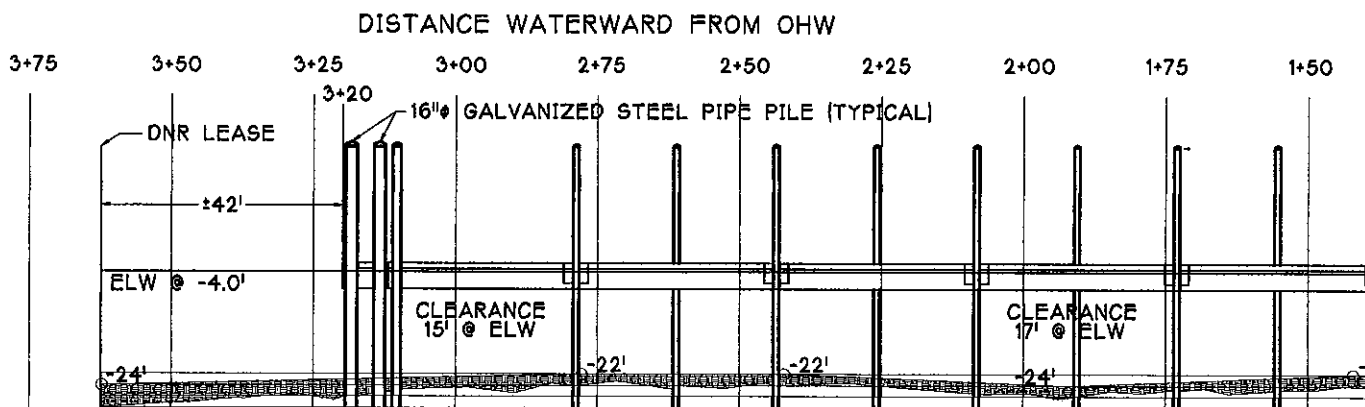
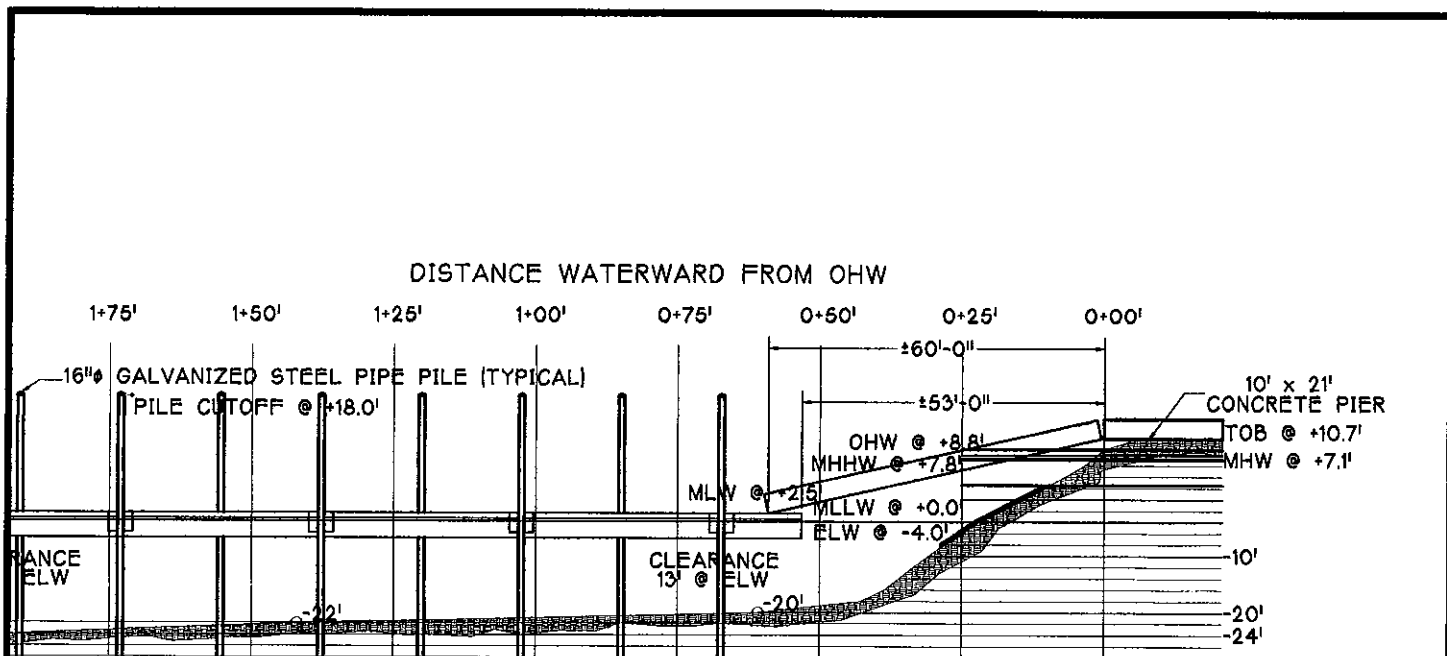
IN: SHOAL BAY

AT: LOPEZ ISLAND

SAN JUAN COUNTY, WA

SEC. 1, T35N, R2W, W.M.

SHEET 6 of 11 DATE: 5/15/04



REVISED FEBRUARY 23, 2005

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2021 FEDERAL AVENUE EAST
SEATTLE, WA 98102

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PROPOSED PIER 1 CROSS SECTIONS

REFERENCE:
2004-00623

SCALE AS NOTED

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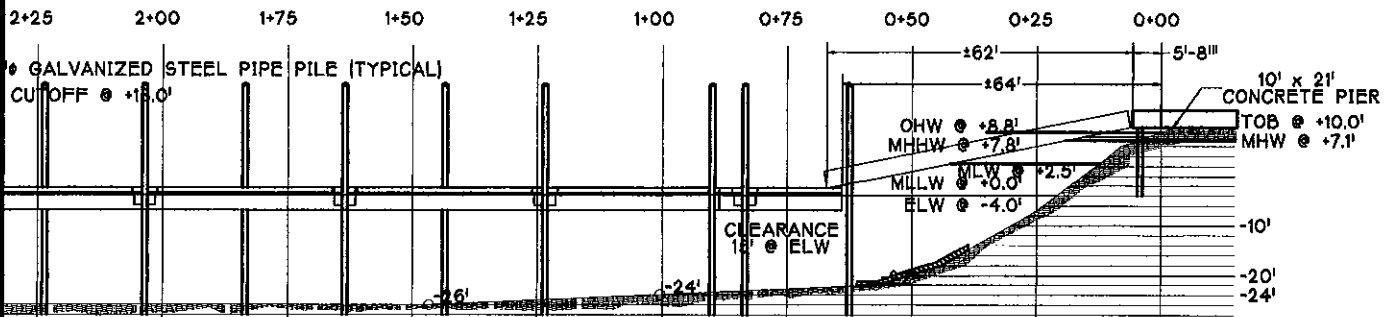
PHASE 1 = 40' SLIPS @ PIER 1
PHASE 2 = 50' SLIPS @ PIER 2

PURPOSE: PROVIDE PERMANENT
MOORAGE FOR RESIDENTS OF
LOPEZ ISLAND

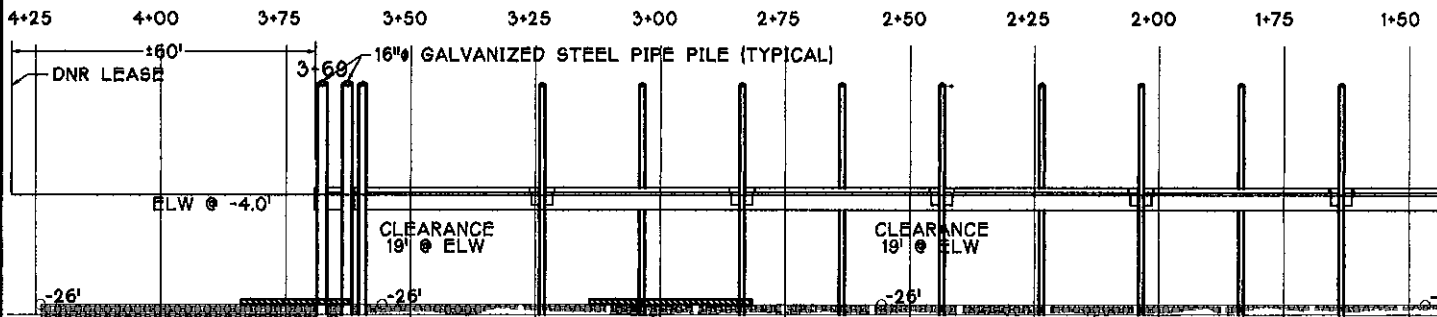
IN: SHOAL BAY
AT: LOPEZ ISLAND
SAN JUAN COUNTY, WA
SEC. 1, T35N, R2W, W.M.

SHEET 7 of 11 DATE: 5/15/04

DISTANCE WATERWARD FROM OHW



DISTANCE WATERWARD FROM OHW



REVISED FEBRUARY 23, 2005

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DATUM: N.O.S. MLLW = 0.0

PROPOSED PIER 2 CROSS SECTIONS

REFERENCE:
2004-00623

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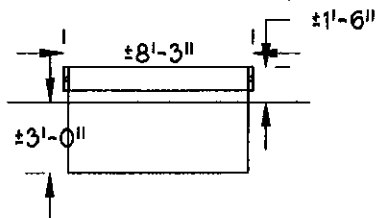
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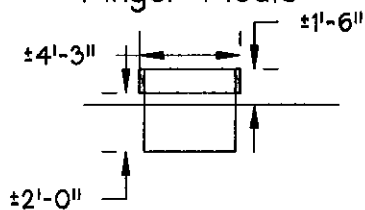
IN: SHOAL BAY
AT: LOPEZ ISLAND
SAN JUAN COUNTY, WA
SEC. 1, T35N, R2W, W.M.

SHEET 8 of 11 DATE: 5/15/04

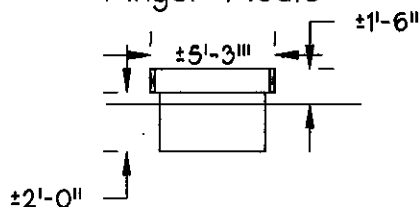
Mainwalk Floats
+ "End Tee" Floats



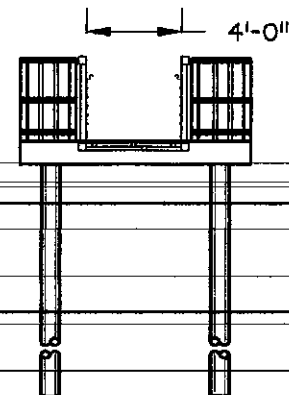
Pier 1 (Phase 1)
Finger Floats



Pier 2 (Phase 2)
Finger Floats



Gangway Ramp

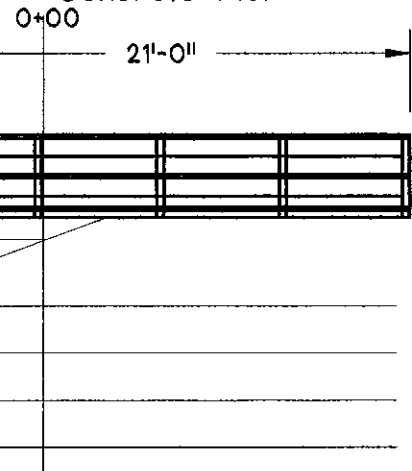


OHW @ +8.8'
MHHW @ +7.8'
MHW @ +7.1'

MLW @ +2.5'
MLLW @ +0.0'

ELW @ -4.0'

Concrete Pier



OHW @ +8.8'
MHHW @ +7.8'
MHW @ +7.1'

MLW @ +2.5'

MLLW @ +0.0'

ELW @ -4.0'

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MISCELLANEOUS
CROSS SECTIONS

REFERENCE:

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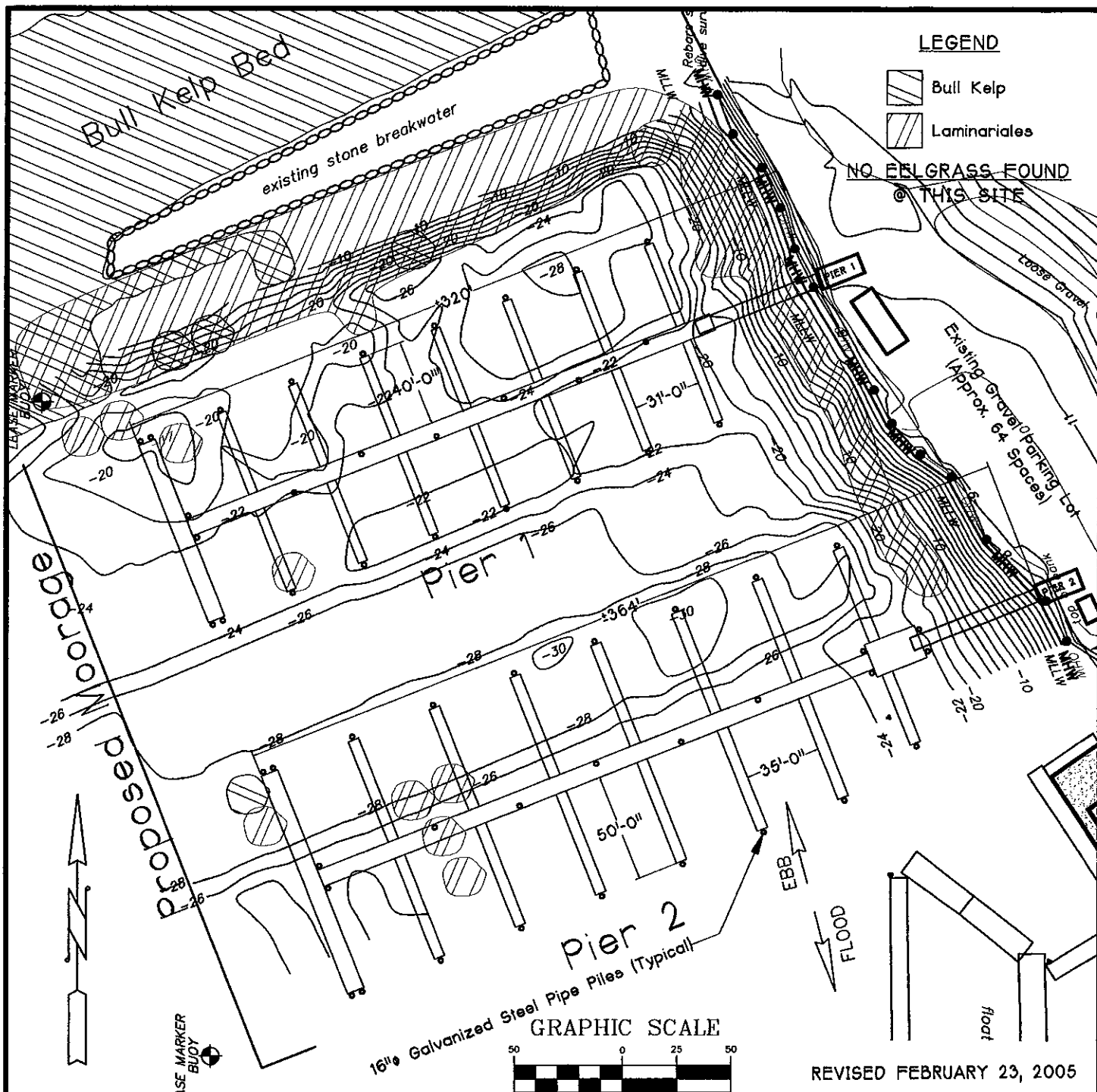
IN: SHOAL BAY

AT: LOPEZ ISLAND

SAN JUAN COUNTY, WA

SEC. 1, T35N, R2W, W.M.

SHEET 9 of 11 DATE: 5/15/04



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MARINA HABITAT SURVEY

REFERENCE:
2004-00623

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IN: SHOAL BAY

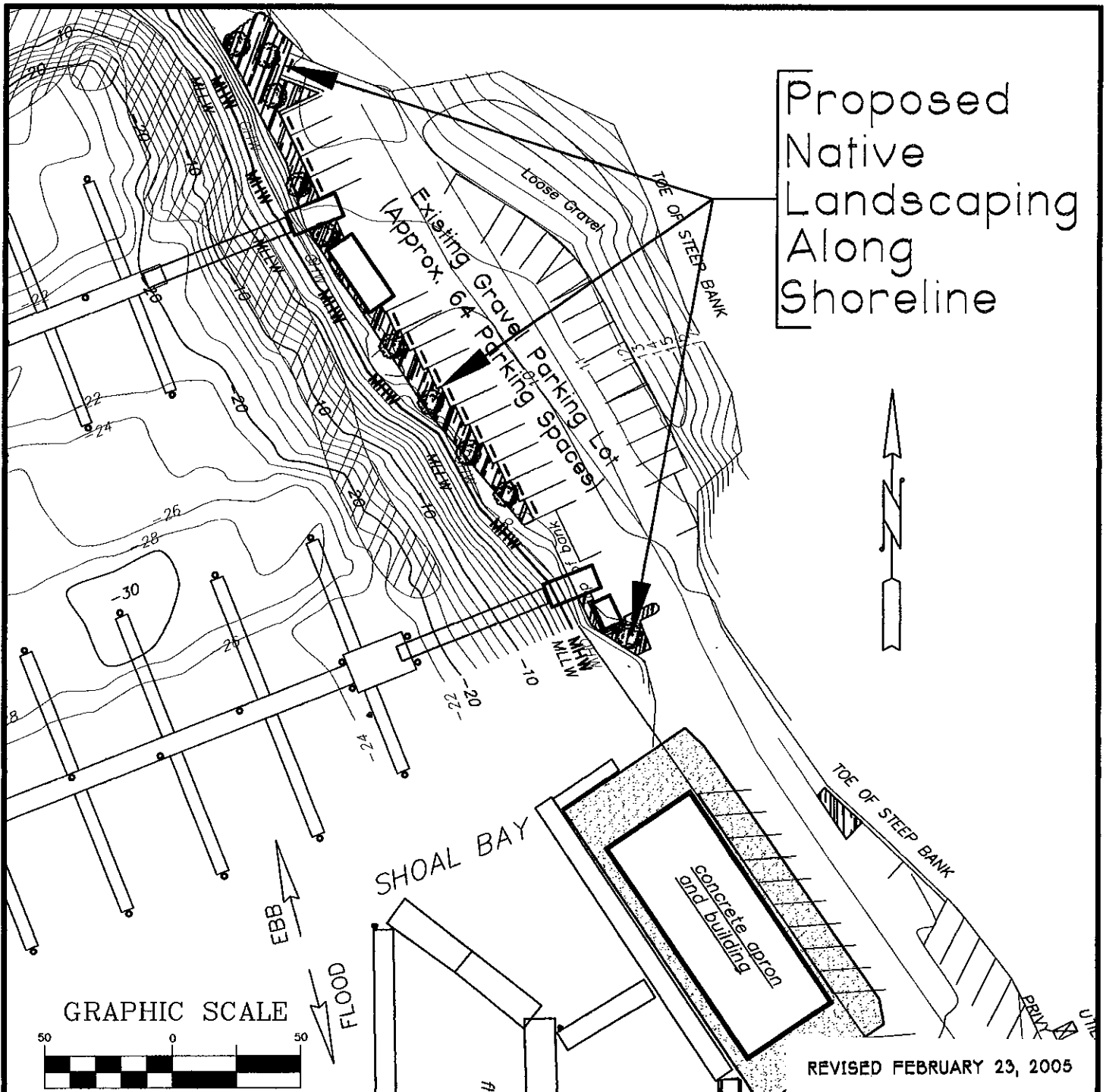
AT: LOPEZ ISLAND

SAN JUAN COUNTY, WA

SEC. 1, T35N, R2W, W.M.

SHEET 10 of 11 DATE: 5/15/04

Proposed Native Landscaping Along Shoreline



APPLICANT:
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PROPOSED LANDSCAPING PLAN

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SHEET 11 of 11 DATE: 5/15/04



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: April 20, 2005

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200400623 will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that Program.

Any person desiring to present views on the project pertaining to the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600